

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL NO. 1:05CV61**

<b>THERON MULLINAX,</b>	)
<b>Guardian Ad Litem for</b>	)
<b>GEORGE HOWARD MCELRATH</b>	)
	)
<b>Plaintiff,</b>	)
v.	)
	)
<b>ROBERT G. WARREN and wife,</b>	)
<b>VIKI WARREN, and</b>	)
<b>MOUNTAIN TOP FARMS, LLC,</b>	)
	)
<b>Defendants</b>	)
<b>and,</b>	)
	)
<b>UNITED STATES OF AMERICA, and</b>	)
<b>CENTRAL CAROLINA BANK,</b>	)
	)
<b>Intervenor-Defendants</b>	)
	)

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**ORDER**

This matter is before the court on a consent motion by all parties hereto to stay proceedings in this case for thirty days.

In the motion, the parties report that two significant offers have been presented by parties outside this lawsuit with respect to the largest parcel of property involved in this matter. The parties to this lawsuit have agreed to return to mediation to discuss these offers as a possible way to settle this matter, and state that entering the stay would relieve them of discovery obligations and deadlines so that they can focus their efforts on the mediation and settlement discussions.

Wherefore, on motion of all parties, and for cause shown, it is hereby ORDERED that all proceedings in this case, including discovery, are stayed for a thirty day period of time from the entry of this Order, and all deadlines set by the Pretrial Order and related orders (including the previous 30-

day stay order) in this case are hereby extended by thirty days.

**Signed: October 17, 2005**

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

